

VZCZCXRO3237
OO RUEHGI RUEHMA RUEHROV RUEHTRO
DE RUEHKH #0313/01 0661349
ZNR UUUUU ZZH
O 071349Z MAR 09
FM AMEMBASSY KHARTOUM
TO RUEHC/SECSTATE WASHDC IMMEDIATE 3179
INFO RUCNFUR/DARFUR COLLECTIVE
RUEHGG/UN SECURITY COUNCIL COLLECTIVE
RUCNIAD/IGAD COLLECTIVE
RHMFISS/CJTF HOA

UNCLAS SECTION 01 OF 02 KHARTOUM 000313

DEPT FOR AF A A/S CARTER, AF/SPG, AF/C, AF/E, IO
NSC FOR MGAVIN AND CHUDSON
ADDIS ABABA FOR USAU
DEPT PLS PASS USAID FOR AFR/SUDAN

SENSITIVE
SIPDIS

E.O. 12958: N/A
TAGS: [ASEC](#) [PGOV](#) [PREL](#) [KPKO](#) [SOCI](#) [AU](#) [UNSC](#) [SU](#)
SUBJECT: NCP SHOWS SOME FLEXIBILITY ON NGO EXPULSIONS, BUT THE
DAMAGE IS DONE

REFS: A) KHARTOUM 311
B) KHARTOUM 308
C) KHARTOUM 306
D) KHARTOUM 299

11. (SBU) Summary: CDA Fernandez delivered cleared talking points to senior GNU regime and NCP officials March 7 regarding the expulsion of NGOs from Sudan. The NCP stuck to its hard line that "the expulsions are not reversible" but showed some flexibility on the question of a prolonged departure to avoid "gaps" in humanitarian service delivery and offered the possibility that some NGOs could stay if they began working through a new mechanism controlled by the Government of Sudan. Government officials delivered the same message to UN SRSG Ashraf Qazi and requested that the UN prepare a hurried draft "joint assessment" today demonstrating the gaps that will be caused by the NGO departures, which if endorsed by the GOS would allow some organizations to delay their departure. Many NGOs report that the damage has already been done given the fact that their assets have been stripped by the government, and some NGOs have told us that they may depart Sudan regardless of a temporary or medium term reprieve on their expulsion. With the government of Sudan determined to exert control over Darfur and get rid of organizations that it views as overly activist, but apparently willing to work with a docile UN, are we headed for the creation of a relief and works agency for Darfur? End summary.

12. (SBU) Following receipt of cleared talking points from the Department on March 6, CDA Fernandez met in person with senior GNU and NCP party officials the morning of March 7 to deliver the message. (Note: CDA also delivered the talking points to SPLM officials on March 6 - FM Deng Alor and SPLM Deputy SG Yasir Arman) who promised to pass the message to Vice President Taha on March 7. CDA also delivered the pitch to MFA U/S Muttriff Siddiq on March 6. RAO delivered the same message to NISS DG Ghosh the evening of March 16. End note.) Meeting with Presidential Assistant Ghazi Salahudin, CDA Fernandez said that the U.S. views the expulsion of the NGOs as an escalation, not the restraint we had hoped to see from Sudan, and urged the GOS to reverse or freeze the expulsion. CDA said that the expulsions could easily escalate further into a tit-for-tat confrontation which would not be beneficial to Sudan or the West. CDA pointed out that the timing of the expulsions could not be worse, coinciding with a policy review on Sudan. CDA offered that if the regime were to reverse or freeze the expulsions, the U.S. would consider an early visit to Washington by FM Deng Alor and Presidential Advisor Mustafa Othman Ismail to address these issues further, as well as the direction of U.S.-Sudan policy. The usually amiable Salahudin replied that the decision to expel some NGOs is not reversible and is "long-overdue." Salahudin said that humanitarian work is being used for political aims, to subvert or overthrow the regime, similar to the ICC indictment of President Bashir, which "is tantamount to a declaration of war."

13. (SBU) Despite this initial hard line, Salahudin said that the government is prepared to work with the UN and the NGOs to ensure that there is no gap in humanitarian service delivery. Salahudin, who had just met with UN SRSG Ashraf Qazi, said he had just asked Qazi and his team to prepare an urgent "joint assessment" within the next 24 hours for consideration by the government demonstrating the gap in services that would be caused by the departure of the NGOs. If this gap is corroborated by the government, the NGOs would be allowed to delay their departure. (Note: The government would like to be able to receive and approve the assessment within 24 hours because the new deadline for the departure of the NGOs is currently Monday, so some justification for a delay must be provided before then. Also President Bashir is due in Darfur on March 8 and will certainly comment on the issue. SRSG Qazi and his team told CDA and emboffs that they are now busy preparing this assessment. End note.)

Qazi was also going to meet with Muttriff Siddiq and Minister of State for Humanitarian Affairs Ahmed Haroun, himself an ICC indictee, later in the day. Salahudin said the government is also prepared to create a relief agency that would work with donors to continue humanitarian assistance in Darfur. CDA replied that the possible extension for NGOs is good news, but the idea that donor assistance would be provided directly to the GOS would probably not be approved by donors. Salahudin retorted that humanitarian assistance is now being used for political aims and this cannot continue. However, Salahudin repeated that the government will review the assessment and consider a delayed departure by the NGOs. With regard to the proposal for a meeting in Washington, Salahudin said that he would pass this message and the rest of the U.S. demarche "immediately to the highest officials" but that the NGO issue should not be linked to bilateral discussions with the U.S., "we have agreed to review this because of the UN not because of any

KHARTOUM 00000313 002 OF 002

American discussion offers."

14. (SBU) Senior NCP negotiator Sayed al Khateeb passed essentially the same message to CDA immediately following the meeting with Presidential advisor Salahudin. He said there could be some flexibility on departures and that some NGOs might be allowed to stay if they coordinate their efforts through a Sudanese government agency, but that some NGOs "are demonstrably in support of the ICC decision," that the Intelligence Service has a list of organizations that are "blatantly for the indictment," and these organizations must leave Sudan. He noted that more NGOs could also be expelled for exceeding their mandate. Khateeb said he hoped that the ICC issue will not turn into the "mother of all battles" with the West as some hotheads in Sudan and in the regime are advocating, but warned the CDA that such an outlook accurately reflected the current feeling among many in Sudan and in the regime who are close to the President. Khateeb readily admitted that the regime "should have thought of how to replace the NGOs before the expulsion announcement," and that such a plan should have been announced in conjunction with the expulsion orders.

15. (SBU) UNMIS officers reported later in the day that not only are they working on the joint assessment, but they are also considering options for how the UN might be able to take over NGO operations. UNMIS political chief Muin Shreim told polchief that UNMIS recognizes that "there is no way for the government of Sudan or Sudanese agencies to take over the work of these NGOs." The UN also recognizes that donors are not going to be willing to channel all of their assistance into GOS entities. Therefore the UN will work to delay the departure of all of the NGOs, but in order to avoid gaps in personnel and assets, an option would be to for the UN to absorb the NGOs - if the UN could be given the legal and budgetary authority to do so.

16. (SBU) Based on the harassment of their staff and the seizure of their assets, several USAID partners and other NGOs that have been identified for expulsion have reported they may leave (northern) Sudan regardless of whether the government allows them to stay. These NGOs note that they are at a breaking point anyway in terms of constant obstacles erected by the GOS to their work, and the limited access to many parts of Darfur due to insecurity.

¶7. (SBU) Comment: While the government is beginning to show some limited flexibility in its position on the NGOs, this is only to avoid a greater and more immediate crisis in Darfur and protect itself against accusations that it does not care about its own people. Predictably, the GOS would like to take over the NGO programs and receive hundreds of millions of dollars in donor funding (and control the entire humanitarian operation in Darfur) but the government is naove in thinking that donors will allow their assistance to be channeled through a corrupt and brutal government - or that it has the capacity to take over one of the world's largest relief operations. UN officials already realize that a "UN Relief and Works Agency for Darfur" may be inevitable if the GOS sticks to its guns on removing NGOs from Darfur and the rest of northern Sudan. The GOS does not want to work with NGOs, which it views as political entities and (it claims) has linked directly to the ICC. In truth, some of these NGOs have political officers on staff whose job it is to do political advocacy. Regardless, some of these NGOs can hardly operate as it is, as they are constantly at the mercy of the GOS for permits and authorizations that are always late and paralyze their operations. If donors will not channel assistance through the GOS and the GOS prefers to work with the UN, a UN relief operation may be the only answer to the current crisis. Establishing such an entity now with current NGO staff and resources would avoid a humanitarian disaster caused by a gap in service delivery. However, the creation of such an entity would be a massive and complex undertaking and should not be entertained lightly, given the monumental cost and the fact that it could presumably grow into a institution that will likely be around in fifty years, as is the case with UNRWA, if the Khartoum regime doesn't expel them first.

FERNANDEZ